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# LAND SEVERANCE

planning guidelines for  
Land Division Committees,  
Committees of Adjustment  
and  
Delegated Planning Boards

September, 1981

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**Land Division Committees,  
Committees of Adjustment  
and delegated Planning Boards**

**Prepared by Operations Review Section  
Operations Control Branch**



Ontario

**Ministry of  
Municipal Affairs  
and Housing**

*Hon. Claude F. Bennett, Minister*

*R.M. Dillon, Deputy Minister*

September, 1981

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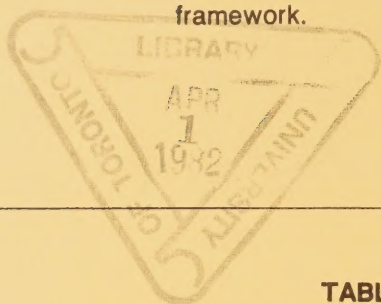
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This booklet contains a set of guidelines designed to assist your Committee/Planning Board in its consideration of Consent Applications. The guidelines outline issues which should be taken into account in your assessment of each application; issues ranging from long-term planning concerns to detailed site criteria.

By applying these guidelines and adapting them to local situations, you may find it easier to make your consent decisions within a sound planning framework.



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## YOUR COMMITTEE'S ROLE IN PLANNING

### Introduction

As members of a consent granting authority, you play an important role in rural planning in Ontario. Controlling land severances is one means by which the planning policies and regulations contained in local official plans and by-laws, as well as in broader regional and provincial policies, are implemented.

There are three separate bodies which are now responsible for the creation of new lots in Ontario. These bodies are extremely important, as their decisions influence the patterns of development and growth which shall occur. They are:

- The Plans Administration Division of the Ministry of Municipal Affairs and Housing which approves plans of subdivisions and grants minister's consents for some areas,
- Regional municipalities which approve plans of subdivision in areas where the approval power has been delegated to the region, and
- Committees of Adjustment, Land Division Committees and delegated Planning Boards which grant consents.

In parts of the province, lots created by severance form a major portion of the total of new lots created each year. If brought together, the population resulting from residents of new lots created each year would be equal to a medium-size city. The part which Committees of Adjustment, Land Division Committees and delegated Planning Boards play in shaping community patterns should not be underestimated.

### The Purpose of the Planning Guidelines

These "planning guidelines" are expected to serve two major functions. First, they will provide a planning reference booklet for members of Land Division Committees and Committees of Adjustment. General planning concerns, which should receive attention each time you must make a decision whether to grant or withhold approval of a land severance application, will be discussed.

Second, these guidelines have been written with the "rules of procedure" in mind. Guidelines have been designed to aid you in using the rules of procedure to carry out your committee's work within a sound planning framework.

The guidelines have been set out in the following three sections. The sections correspond to the three major areas of concern which should be considered in your assessment of each consent application. They are:

**Your First Consideration**—Is a consent the most appropriate action in this instance?

**The Long-Term Impact of Your Decisions**—In the long run, how will your committee's decisions influence the development patterns, economy and resources of your area?

**Detailed Topics for Consideration**—Once you have determined that an application for consent is an appropriate course of action, and that the long-term impact will be a positive one, by what criteria should you review the application?



## I YOUR FIRST CONSIDERATION

There are times when a consent application is just not appropriate. If this is the case, you may be wasting your committee's time and energy by proceeding with a detailed review before ensuring that the *principle* of the proposal conforms to existing policies.

Before an application is reviewed in detail, two points should always be considered;

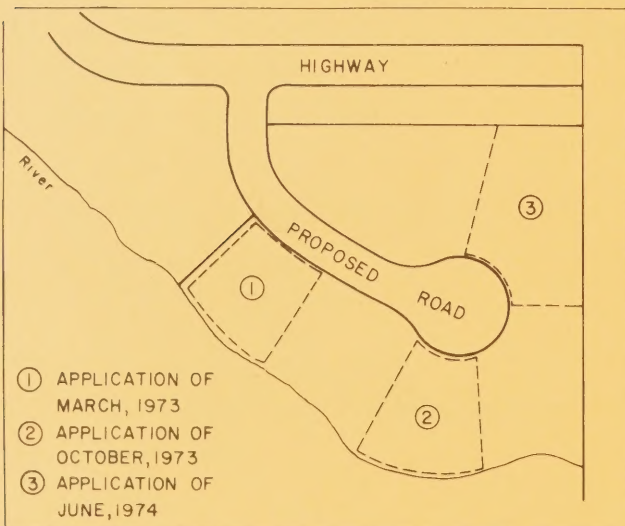
- Would a plan of subdivision be a more appropriate means of dividing land in this case, and
- Does the proposal conform to existing policies and standards in documents such as the official plan?

These two issues are discussed in more detail below.

### Appropriateness

Section 49 (3) of the *Planning Act* states that committees may grant consents provided they are satisfied that a plan of subdivision under section 36 of the act is not necessary for the proper and orderly development of the municipality.

Generally speaking, if the applicant has had no previous severances from the same holding, if he is applying to create no more than one or two lots, and if you are reasonably sure that he does not intend to divide further lots from this parcel, then the consent procedure would seem to be the most appropriate means of land division. If, on the other hand, the applicant has severed lots from a parcel in the past, and is applying for further severances from the same parcel, you may find that a new road will be needed to provide access to the lots, or there may be other indications that the scale of development is going beyond that for which the consent process is intended to deal.



*By applying for three separate consents, this applicant was hoping to create six lots. Who would be responsible for the road he was creating? Development at this scale should proceed by plan of subdivision.*

To determine whether a consent application is the most appropriate means of dividing land in this case, you should take the following steps:

- Apply your personal knowledge to the situation. You may be aware of past consent applications or plans of subdivision which have involved this parcel of land.
- Refer to items 16 and 17 of the Application for Consent form. It should provide you with useful information about the applicant's previous consents and future intentions for this parcel.
- Refer to summary maps which may be kept by the secretary-treasurer of the committee. These maps will show past consent activity on or near the property, and will indicate the amount of development which is taking place in the area.

### Conformity

If the consent application does not conform to local, regional or provincial policies, nothing will be gained by proceeding any further with the review. To assess the application for its conformity with existing policies, it is important that you check the following:

- If local and/or regional official plans cover the area, ensure that the proposal is in conformity with the provisions of the official plan(s).
- If zoning by-laws are in effect, determine whether the application conforms or if it will be possible to amend the by-law to permit the proposed use.

You should ensure that, to the best of your knowledge, the proposal does not conflict with county, regional or provincial programs or policies.

If the consent application fails the tests of appropriateness and conformity, approval will, of course, not be granted. If the application passes these tests, you may then go on to assess the application in greater detail. But before assessing detailed site criteria, you should spend some time considering what the long-term impact of this decision may be.



## II THE LONG-TERM IMPACT OF YOUR DECISION

An extremely important part of your assessment of each application to sever land is your careful consideration of the long-term effect which this proposal may have on the area. Although it may look like "just one more lot", this one proposal will make some impact on the overall pattern of development in the area. To a greater or lesser degree, it will contribute to, or take away from the physical appearance and the economic welfare of the municipality.

New lots created by consents accumulated over time form patterns which may range...

*... from clusters of development in and around existing communities...*



*... to scattered development and strip development along major roadways.*



The patterns of development which evolve affect every municipality in a number of ways. These patterns may;

- determine servicing costs, and to a large extent, local rates of taxation,
- influence the way land in the surrounding area can or cannot be used,
- affect the efficiency of road systems,
- affect the future use of your area's natural resources, or
- make the difference between an attractive or an unattractive landscape.

By observing the patterns of dots which are forming on summary maps your committee may keep, and by relying on your personal observations of the area, it is fairly easy to determine the types of development patterns which are evolving in your area.

And by assessing all consent applications in light of the following development principles, you may be able to shape those patterns to enhance the health, safety, convenience and welfare of your municipality.

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**Does your committee attempt to discourage development patterns which will increase the cost of servicing to the owner of the new lot and to the taxpayer?**

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Services such as road maintenance, snow ploughing, bussing school children and garbage collection all entail travel by public vehicles. The more scattered the pattern of development, the greater the distance public vehicles must travel. Recent increases in gasoline prices magnify even more the increased cost to your municipality.



*The cost of one standard size 60-seat school bus is in the neighbourhood of \$29,000. With the addition of licencing, insurance, storage costs, depreciation, maintenance and driver salary, this increases even further.*



New development often creates the need for new services. Where development densities surpass the soil's ability to absorb wastes, ground water sources become polluted, creating the need for a municipal water and sewer system.



*The cost-per-foot of installation of services being constant, it is economically advantageous to reduce the number of feet of servicing required. Where development occurs in strips along township roads, the cost of providing services can be extremely high, whereas compact settlements can greatly reduce these costs. As well, if the number of subscribers is lower, there will be a greater cost-per-person for the services.*

In assessing the principle of consent applications, you should be aware of these potential costs to the municipality over time. Many of these costs can be curbed through careful and thoughtful rural planning.

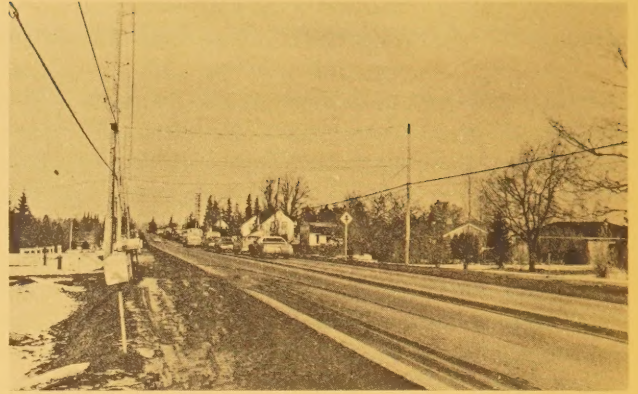
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**Do your committee's decisions take the safe and efficient operation of roads and highways into consideration?**

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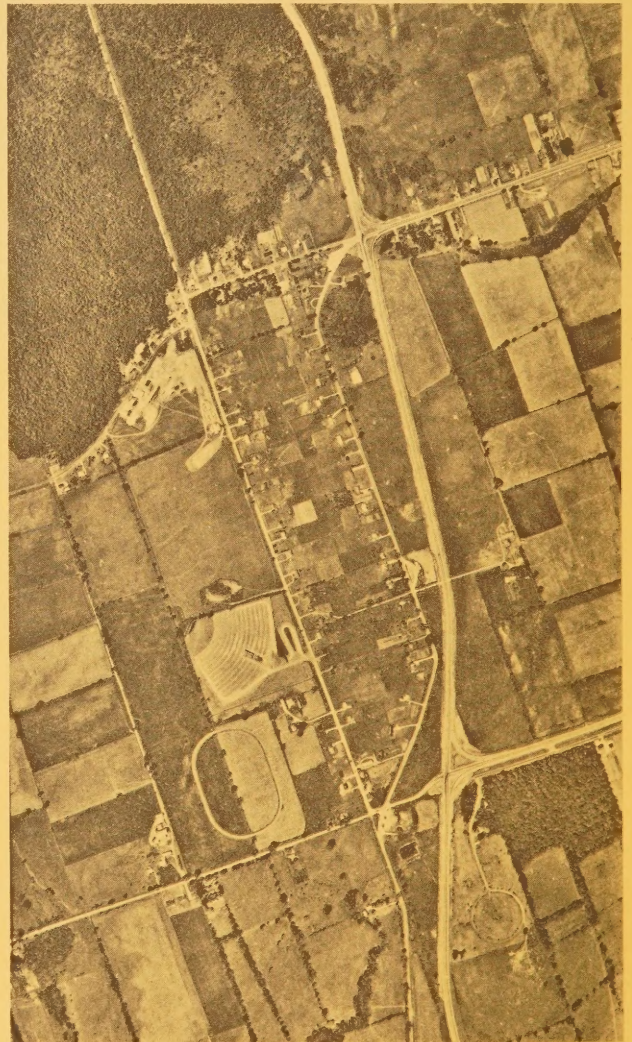
The proliferation of entrances onto roadways can drastically reduce the efficiency of the roadways in the long term. Many entrances can also increase danger and inconvenience to motorists, who must constantly be on guard for vehicles backing onto the roadway or vehicles which have not yet reached full acceleration.

For example. . .



*Strip development along this major highway has caused the reduction of the speed limit from 90 to 35 k.p.h., and to zero when the school bus arrives.*

A reduction of the speed limit may not be sufficient to solve the problem. Eventually, as has happened in many cases, it may be necessary to construct a bypass through open country, at greater expense to the general taxpayer.



*In this case the original road [to the left] was stripped with driveway accesses. A bypass was constructed to the right of this road, but it also soon became stripped with a dangerous number of accesses. It then became necessary to construct a second and more costly bypass—three roads to do the job of one.*



Residential development should, therefore, be encouraged to locate on minor roads, or in plans of subdivision which, through an internal road system, can decrease the number of access points onto major roadways.

Some land uses are traffic generators. They increase the amount of traffic on highways, as well as increasing the frequency with which vehicles turn in and out of entrances along these highways.

More serious than speed reductions or by-passes are the serious traffic hazards which may be caused by poorly located traffic generators such as highway commercial uses. For example, ten traffic fatalities in a 12-month period caused the stretch of highway pictured below to be named the "Killer Strip". The large volumes of traffic turning in and out of the roadside businesses have been blamed for the fatalities.



"The Killer Strip"

By following two recommendations, you may do a great deal to preserve the long-term safety and efficiency of the road systems in your area:

- You should obtain the recommendation of the Ministry of Transportation and Communications whenever a proposed severance abuts or has access to a provincial highway. The rules of procedure require that M.T.C. receive a copy of the notice of hearing and the application. It is recommended that their reply be obtained before a decision is made, as they are concerned with the safety of the proposed access among other factors.
- Obtain the comments of the county or regional engineering department whenever a proposed severance abuts or has access to a county or regional road. County maps produced by M.T.C. should help the committee to identify county or regional roads, if they are not properly shown on the applicant's sketch.

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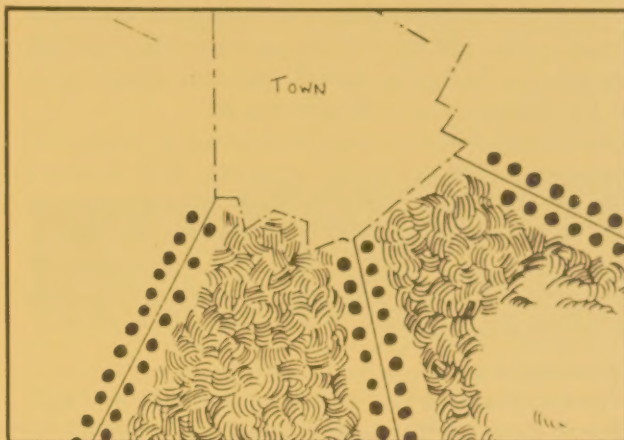
**Do your committee's decisions attempt to encourage the most efficient use of land?**

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One major advantage of careful planning is simply that looking ahead can avoid costly mistakes. This is especially true where land use efficiency is concerned.

For example, where development occurs one lot at a time, the lands behind the lots being created can

easily be overlooked. Eventually the back land's access to a publicly travelled road is cut off entirely. If the owner wishes to develop this land, he will have to purchase an access point. If he is unable or unwilling to do so, his lands have effectively been made "sterile" or unsuitable for development.



*In this illustration, the dots represent houses created one at a time over a number of years. If you look at the land between the highways, you will see that the ribbons of development have isolated what might have been the most desirable land for future development.*

Irregularly shaped parcels often make poor use of land. A row of very long narrow residential lots is especially inefficient because the owners seldom use the rear portions of their lots. And the problems which would be encountered in assembling land from the numerous owners would make it difficult to make more efficient use of the land in the future.

To avoid such costly mistakes as land-locking parcels or leaving uneconomically sized parcels, you should:

- Consult records of past conveyances, assessment maps (if available) and the plan submitted by the applicant to ensure that no parcels are being land-locked. A properly completed sketch showing the boundaries of all the owner's abutting lands is vital.
- Be aware of any official plan policies or zoning provisions which may regulate the minimum size and the shape of lots.
- Remember that sketches may not be drawn to scale, and may not show the true proportions of the lots.

As well as avoiding wasted land, efficiency means the best use for the best location. Very often, locations for land uses such as schools, community facilities, etc., will be shown in a very general way in an official plan without being literally translated on the ground. Will some consent applications infringe upon the best location for necessary facilities? A very small consent may endanger a very large project. When proposals for development are made in areas which may be designated for larger projects, it will be necessary to determine the future locations more precisely so that conflicts can be prevented. The municipal council and/or planning board may be the best people to contact in such instances.



**Do your committee's decisions attempt to preserve valuable renewable and non-renewable resources, so that they will be available for use now and in the future?**

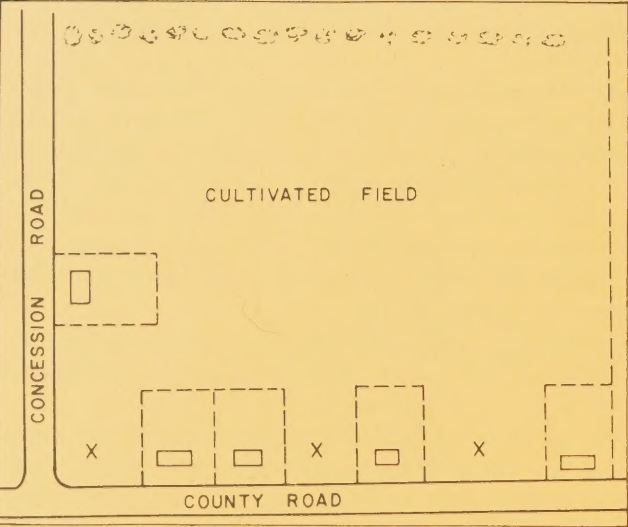
Ontario is a province rich in natural resources. Valuable farmland, mineral and aggregate deposits, forestry, water, scenic and recreational resources are only a few of the many natural features which make this a prosperous and attractive area.

Careful planning is essential if we are to obtain the greatest benefit from these resources, both now and in the future. Your committee, through its land severance decisions, plays an important role in this resource planning. Steps which you can take to encourage careful and responsible resource planning are discussed below.

**Agricultural Land**

We are living in a time of decreasing supply of agricultural land combined with increased demand for food and rising food costs. Yet there are many things which your committee can do to prevent the rapid erosion of agricultural land and declines in farm efficiency.

For example, new non-farm development in agricultural areas can reduce the efficiency of agricultural operations. By conveying several lots scattered along the road frontage of a field, pockets of land are left behind which the farmer cannot easily cultivate and harvest due to their narrowness and deviation from the regular outlines of the field. This often leads to the loss of valuable farm land resources.



*This farmer has greatly reduced the efficiency of his operation. Not only have the lots which have been created consumed valuable agricultural land, but the areas denoted by the Xs have become difficult to cultivate. As well, new residents may complain of noise or odour from farm operations.*

If the lands being conveyed and retained are intended for agricultural use, the committee should also consider whether they will be viable farming units. The minimum size varies according to differing conditions throughout the Province and the type of

farm operation envisaged. Breaking up farmland into uneconomic parcels makes it difficult to reassemble a workable farm from the various ownerships.

The Ministry of Municipal Affairs and Housing supports and encourages the use of the Agricultural Code of Practice, which was developed jointly by the Ministries of the Environment, Municipal Affairs and Housing and Agriculture and Food to deal fairly with odour pollution associated with the operation of livestock and poultry enterprises. One of the purposes of the code is to ensure that agricultural operations will not be prevented from expanding due to environmental conflicts with new development in the immediate area.



*Due to distance separations required by the code, indiscriminate non-farm development in agricultural areas can force the end to the expansion of an intensive animal operation.*

The farmer, himself, may have severed a lot which will deny him the right to a more efficient farm and higher income because he will not be able to expand his farm.



*And new residents may complain of odours of manure from feed lots, a cause for headaches both for the farmer and the new residents.*

Therefore, before granting a consent under such circumstances, you should ensure that the severance will still allow adjacent farmers to comply with the Agricultural Code of Practice. Consult item 1. (1) in the "office use only" section on the application form. Also, it may be wise to consult adjacent farmers who may be concerned with the application so that



they may inform the committee if the proposed severance will adversely affect their operation.

Finally, certain areas of the province provide unique conditions for the production of specialty crops. Two among the many examples of this type of resource are the Holland Marsh market gardening area, and the Niagara fruitlands. Since some of the areas are limited in size, every effort must be made to preserve these valuable resource lands for agriculture.

The official plan should contain policies concerning the preservation of agricultural land. It is your responsibility to interpret and enforce these policies.

Further steps which you can take to ensure the continuation of a viable agricultural industry are:

- Consult the agricultural soil classification maps of the Canada Land Inventory to ensure that development does not take place on classes of soil which are protected in local policies, or does not endanger special crop lands.
- If they are available, county soil maps may provide more detailed information on agricultural capability.
- In all cases involving applications in agricultural areas, the Rules of Procedure require circulation under certain criteria to the Ministry of Agriculture and Food for comment. They may also be called upon for advice on the economic viability of proposed farm units. In assessing applications involving agricultural land, it is important to pay close attention to the proposed and possible use of the land intended to be retained.
- Determine by examination of the application, local knowledge, or by a site visit, whether the proposed severance will result in residual pockets of unusable farmland.



### Mineral Resources including Aggregates

If buildings are located near or over areas of sand, gravel or mineral deposits, the use of these resources in the future may be lost.

Minerals are non-renewable resources which are available only in specific locations. Development near mineral extraction sites can cause a variety of problems. Residents living near pit and quarry opera-

tions are often bothered by the noise, dust and traffic of the extraction site. This may lead to further problems when the mineral extraction enterprise wishes to expand its operation.



*Local residents [who may have arrived well after the mine or pit began operation] may object to any expansion, complaining that it will reduce property values or the amenities of the area.*

In this way, it may be impossible to utilize many of our valuable mineral resources in the future. The Ministry of Municipal Affairs and Housing, therefore, recommends as a general guideline that municipalities include policies in their official plans to require that in the case of sand and gravel removal, a buffer separating these uses from residential areas be maintained. In the case of the removal of quarry stone or of sand and gravel processing, the buffer should be increased.

Your official plan should provide guidance as to the location of mineral and aggregate deposits. Policy maps should be checked before granting land severance, to ensure that land use conflicts will not arise in the future or that valuable deposits will not be locked up for the future. (Further information may be gained from maps issued by the Ministry of Natural Resources. If you suspect that a conflict situation may arise, you should circulate the application to the Ministry of Natural Resources for comment. As for the Ministry of Agriculture and Food, the Rules of Procedure require circulation of applications to the Ministry of Natural Resources where these resources may be affected.)

When assessing such a consent application, you should determine the property boundaries of any mineral extraction operation in the area of a proposed lot. Ensure that there is sufficient set back from the property boundary to allow future expansion of the operation inside its boundaries without infringement on the amenity of surrounding uses.

A further consideration which should be taken into





account in mining or pit and quarry operation decisions is the effect which these operations will have on the local road systems. Heavy truck traffic may cause danger, noise and inconvenience to local residents, as well as costly damage to roads in the area.

### Forest Resources

Forests and woodlots serve many important functions. They provide wood and wood products, prevent soil erosion, protect against flooding, conserve water supplies, provide wildlife habitats and add beauty to the area. For these reasons, serious consideration should be given to the protection of these resources.



*Protection of forest resources can make the difference between a scene like this . . .*



*. . . and a scene like this.*

Local official plans should contain policies for the protection of these areas. These policies should be followed in all cases. As well, your municipality may have a by-law restricting the cutting of trees except for the owner's own use. Forests and woodlots on crown land, or which are managed by the Ministry of Natural Resources, are subject to special controls and regulations which must be followed. The Rules of Procedure also require circulation to the Ministry of Natural Resources where the land of the application abuts Crown land.

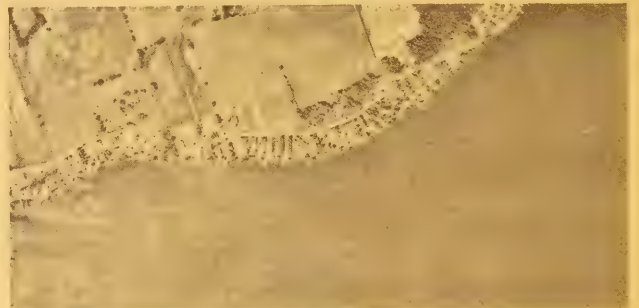
Where forest resources are involved, applications should always be circulated to the Ministry of Natural Resources. The ministry's comments will be helpful not only in determining if areas should be preserved, but in advising if flooding, erosion or loss

of ground water recharge areas may occur if significant numbers of trees are lost.

And you may use your own judgement in setting conditions of approval to protect forest and wildlife resources. Section 29 (24) of the *Planning Act* permits committees to grant "consent in principle". Final consent can then be withheld until the applicant has met all of the conditions set by the committee. In this case, final consent would be granted only when the owner enters into an agreement with the local council guaranteeing the protection of these resources.

### Recreational Resources

By permitting the creation of lots in areas which have a unique potential for recreational use, your committee may be responsible for the loss of the most suitable recreational site in your municipality.



*. . . by allowing strip development along lakes and waterways, thereby barring public access . . .*



*. . . or by granting consents in scenic or potential park areas such as the one shown here . . .*

How can you prevent the loss of such areas? Check official plans for recreation policies or designations to ensure that the proposal is in conformity with the designation and the intent of the policy. Use your personal knowledge and discretion. You may be aware of future park plans which may be jeopardized by development. By using conditions of approval you may be able to minimize the impact of development or achieve compatibility of uses.

### Ground and Surface Water Resources

Do your committee's decisions attempt to take into consideration the long term protection of ground and surface water resources?

In areas not served by municipal water and sewer-



age systems, proliferation of private septic tanks and privately drilled wells may cause serious health hazards. Seepage from septic tanks may contaminate domestic water supplies, making them unfit for human use.



*It is important that the site has been inspected to ensure that the lot is of sufficient size to accommodate the well and septic tank if they are required, and that sufficient fill is provided to ensure the efficient functioning of the septic tank. Note the depth of soil that is required.*

But even though individual septic tanks may be relatively harmless, in the long run the accumulation of many septic tanks and wells may cause a serious situation. Costly municipal servicing schemes may be required to overcome the hazard to public health. These dollars come from the pockets of all taxpayers.

When such servicing schemes are required, they are often made more costly because of the need to service strip development. To help prevent such situations from occurring, all applications requiring a septic tank and/or private well should be circulated to the Ministry of the Environment or Medical Officer of Health, as required by the Rules of Procedure, and their recommendations should be completely and carefully followed. Consents which contribute to strip development requiring septic tanks and private wells should be discouraged.

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**Do your committee's decisions attempt to maintain an awareness of and respect for attractive landscapes?**

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If your committee has taken into account those points already discussed in this section in each decision it makes, your decisions should reflect efficiency and good economic sense. But what about the *appearance* of your municipality? An attractive landscape is as important to some people as a well-balanced bank book is to others. Pleasing surroundings, and an absence of unsightly developments can foster a local pride that cannot be measured in monetary terms alone.

The official plan in your area may make a general statement about protection or improvement of the character and attractiveness of the area. Such statements are often passed over quickly when land use

decisions are being made, as in many cases, it is not an easy task to predict the visual impact which a proposal will make on the area.

But such assessments are important. The concern which your committee shows for the appearance of towns and the countryside will be evident over the long term.

Some types of development may seriously reduce the attractiveness of a community or of its surrounding countryside. Although they may not be objectionable in any other way, some unsightly developments may be visible to a wide area due to the nature of their location;



*Or they may be incompatible with or disruptive to surrounding uses.*

Such conflicts can often be avoided or minimized if your committee follows a number of guidelines in assessing consent applications:

- Ensure that questions 7 and 8 on the questionnaire, proposed uses of land intended to be severed and retained, are answered fully and accurately.
- Consult individuals or agencies who may be concerned with, or affected by, the visual impact of the proposed land use. This would include adjacent land owners, the municipal council, parkway authorities, etc.
- You may impose conditions of approval such as the siting of structures, buffer strips and landscaping which may significantly improve the visual impact of such uses. Such conditions may require that the applicant enter into a legal agreement with the municipality (if the municipality agrees to such an agreement), regarding the means by which the applicant will improve the appearance of the proposed use.
- Final consent will be granted only when the owner has agreed to these conditions. Similar conditions may also be used to ensure that the land in question is restored or rehabilitated after being the site of a temporary operation such as a pit and quarry.

**Summary**

By assessing each consent application in light of the questions raised in this section, you will be determining whether or not the *principle* of the proposed development is acceptable.

If the proposal does not conform, if it contributes to undesirable patterns of development, to greatly increased costs for the municipality, if it will mean the loss of valuable resources or if it detracts from



the appearance of your municipality, then in most cases, the application should be not approved and you will not be called upon to proceed with a more detailed evaluation.

If, on the other hand, the application passes the tests of conformity, economy, efficiency and will contribute in a positive way, it is then time to proceed with a more detailed evaluation of the site to be developed. Section III presents a number of guidelines which may assist in this evaluation.

### III MORE DETAILED TOPICS FOR CONSIDERATION

A more detailed site evaluation will include a number of considerations which can usually be assessed quite quickly. This assessment can be made by referring to the information provided on the consent application form and accompanying drawing, by making a visit to the site, and by applying your personal knowledge of the situation. Considerations should always include an assessment of;

- Suitability of the site,
- Access to the property,
- The provision of services to any buildings that might be constructed,

Compatibility with abutting land uses.

Some or all of these issues may be dealt with in the area's official plan. The purpose of these planning guidelines is to fill gaps in plans and policies and to assist you in interpreting policies and by-laws, and to explain in general terms, some of the background of and reasons for the use of these planning principles.

There are several important reasons for having an understanding of these planning principles. Not only will such knowledge help you in making good decisions; it may also assist you in the formulation of conditions of approval. In areas where planning policies are vague, an understanding of these guidelines may help you to implement the intent, rather than the letter, of these policies.

Each consent application should be reviewed with the following considerations in mind:

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#### Are the physical characteristics of the site suitable for the proposed development?

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There are many important reasons for obtaining a full knowledge of site characteristics and how these characteristics will or will not permit the proposed uses. These reasons range from ensuring that the site is capable of supporting proposed structures, to ensuring that unique ecological areas and resources are not lost for all time.

A major consideration is whether the proposed site is located on "hazard" land or flood plain areas.

Is there sufficient room and soil cover on the proposed lot for the safe installation of a septic tank and tile bed? All applications proposing building lots which will require private disposal systems must be



*If the application proposes a building on land that is excessively sloping or rocky or on poorly drained soils, swampy areas and lowlands which may be susceptible to flooding, there may be many problems in the future with cracking foundations, flooding basements, contamination of soil by improperly functioning septic tanks, and so on. If any of these conditions are present, a copy of the application should be circulated to the Ministry of Natural Resource for their comment.*

circulated to the Ministry of the Environment, or the Medical Officer of Health. Their site inspection will determine whether a septic tank and private well can safely be installed without fear of water contamination, or if extra fill will be required.

The Ministry of Natural Resources may also be helpful if you suspect that the proposed site includes a wildlife habitat or if development might mean the destruction of rare or attractive vegetation.



*Special wildlife, woodlot or forest areas, attractive hills, ravines, groupings of trees or areas with pleasing views of the surrounding countryside are important assets to any municipality. Development on or near these areas may rob the area of these resources.*

Commenting ministries and agencies may recommend conditions of approval, such as a limit on the number of trees which may be cut down or the siting of any structures, which may do a great deal to minimize the impact of development.

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#### Does the application for consent propose a dangerous or hidden entrance onto high speed traffic arteries?

---

Danger and inefficiency caused by the cumulative



effect of many access points onto high-speed roadways was discussed in Section II. But as well, in each decision you make, it is your responsibility to ensure that all access to property created by consents is safe for both the resident of the property and for the passing motorist.



*Sharp curves . . . and steep grades hamper the line of vision of an on-coming motorist.*



*Can you see the car emerging from the hidden entrance?*

And all of these hazards are doubly treacherous in snowy, icy or wet conditions.

How can your committee be on guard against such dangerous situations? Begin by paying close attention to information on sketches submitted which in-

dicate that dangerous access situations may exist. In all applications where lots abut provincial highways, the application must be circulated to the Ministry of Transportation and Communications. And apply your personal knowledge of the area to determine if there may be an access problem. Site visits are recommended to learn of such problems which might not otherwise be brought to your attention. With a firsthand knowledge of the situation, you may be able to apply conditions of approval which will decrease the danger of a proposed access point.

#### **Does the application enter onto or propose the creation of a private road?**

At times you will be faced with applications which propose private road access. At first glance, they may appear advantageous to the municipality, as there is no obligation to provide municipal services such as garbage collection and road maintenance on private roads. However, residents faced with these shortcomings will often eventually petition to have their access road assumed by the municipality, arguing that they pay taxes, and should receive municipal services in return. The property owners will, at this time, be faced with the effort and expense of organizing and paying for the cost of constructing the road to municipal standards entirely from their own pockets. In addition to the inconvenience of having no municipal garbage collection, snow ploughing, grading, etc. the private road can present a dangerous obstacle to public health and safety if it is not in a condition to carry emergency vehicles, such as police, fire and ambulance vehicles.

To guard against such situations, you should ensure that full information regarding the status of the access road to a lot is available when a decision is made. The municipality can confirm information which is provided in the application and sketch. There are some situations in which private roads may be acceptable, but the local planning department should be consulted when they are proposed.

As mentioned before, the creation of a new private road to provide access may be an indication that development is reaching a scale which might be more appropriately dealt with by a registered plan of subdivision.

#### **Do your committee's decisions attempt to avoid conflicts between the proposed use and the existing or potential uses of the surrounding lands?**

Section II outlined some of the problems which may arise as a result of conflicts between new and existing (or future) land uses. But this is such an important matter that a number of the details and the safeguards against land use conflicts bear repeating.

There are two specific aspects of the problem with which you should be concerned; inconvenience im-



posed upon new uses, and inconvenience caused by new uses. Some questions which should be asked are:

- Would either the existing or the proposed use produce odours, noises or air pollution which would be objectionable to the others? Locating residences in the vicinity of such enterprises as intensive animal farming, mushroom farms, sawmills, quarries where blasting is done, stamp presses, spray painting establishments, etc. and vice versa, will inevitably lead to complaints and conflicts. Certain activities (be they residential, industrial or agricultural) might be unfairly prevented from expanding if the newcomers object.
- Would the proposed use contribute to the pollution of streams or ground water, or seriously deplete the supply of ground water available? Care should be taken to ensure that the new development will not adversely affect the water supply used and enjoyed by the surrounding landholders. Industrial or commercial activities which are heavy water users and which seek locations in areas without sanitary sewer or piped water facilities may cause twofold problems. First, their demands on the local water supply may be larger than that supply, and second, the volume of wastes they produce may be greater than the capacity of the soils to absorb wastes. This can lead to dry wells and contaminated ground water.
- Would the traffic volumes generated by the proposed new use be a nuisance or inconvenience to the surrounding uses? Or would the present traffic volumes due to certain existing uses be a cause for complaint now or in the future, for the owner of the new lot? If the proposed new use is one which generates large volumes of traffic, the road may not be constructed to a standard to handle it. When the road deteriorates under heavy use, the general taxpayer must contribute to the cost of reconstruction or maintenance.
- The purchaser of a new lot may be unaware that a nearby activity such as a race way, drive-in, fair-ground, auction barn or market, periodically attracts a large number of automobiles, with the attendant problems of noise, dust, parking and traffic hazards. A rural road used by gravel trucks for access to a pit may not be a desirable location for residential development. Later, when the residential uses are established, objections from the residents may prevent expansion of a legitimate operation.
- Will the proposed development detract visually from the surrounding area? Or will the surrounding area detract from the proposed use?

Earlier we discussed the cumulative effect which certain types of development occurring over a number of years can have on the appearance of the land-

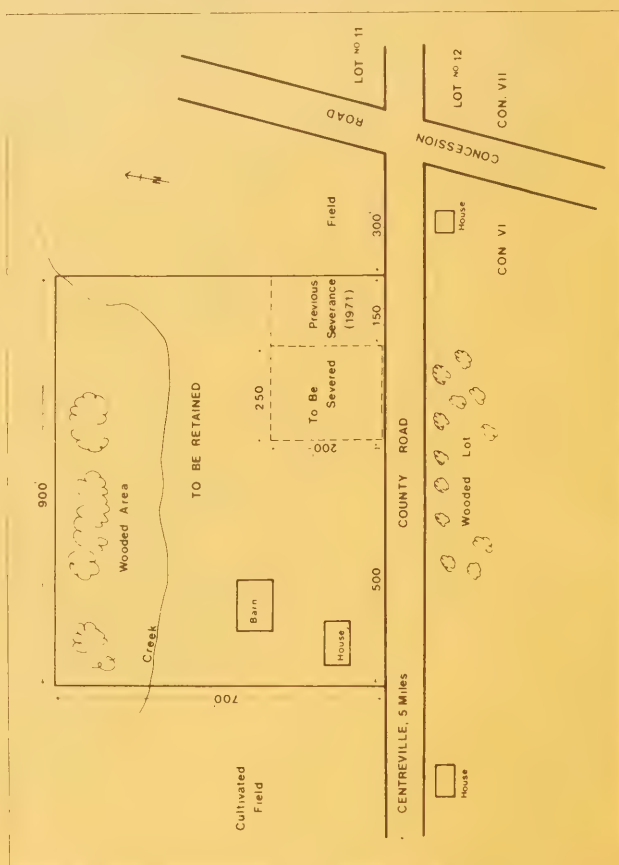


*A view of this auto dump does not enhance the value of the new homes located on the hill above.*

scape. There are also of course, instances where a single severance can mar or destroy an otherwise attractive area both for those who live there and for those passing by.

How do you ensure that your committee's decisions will create as few land use conflicts as possible? The local official plan should be consulted in the attempt to avoid conflicts, and the local planning board or planning committee should be consulted where a problem is foreseen. Second, you should carefully go over the information provided by the applicant.

And your personal knowledge of the area, together with site visits when necessary, will help to pinpoint possible conflicts and problems which may often be rectified by the addition of conditions of approval such as buffers, setbacks and so on.



*This is an example of a properly completed sketch, but you should keep in mind that sketches may often be out of scale or lacking in important information, and, therefore, may be very misleading.*



#### IV CONCLUSIONS

This booklet of planning guidelines, if followed conscientiously, can help your committee make decisions which will reflect sound planning principles. If the issues discussed here are considered in each

consent decision you make, you will be on your way to contributing in a positive way to the thoughtful planning and development of your municipality.

The steps which should be taken in assessing each consent application are summarized in the flow chart below.

